

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James A. Proctor, Jr.  
Application No.: 09/997,733 Group: 2664  
Filed: November 29, 2001 Examiner: Not yet assigned  
For: System and Method for Controlling Signal Strength over a Reverse  
Link of a CDMA Wireless Communication System



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Arlington, VA 22202	
on <u>2/19/02</u>	<u>J. Simen</u>
Date	Signature
Judith Simen	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated December 28, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

*(Separate transmittal letter and postcard not required)*

☒ **POWER OF ATTORNEY DOCUMENT**

☐ **GRANTED BY INVENTOR(S)**

☒ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

*(Separate transmittal letter and postcard not required)*

☐ **PRELIMINARY AMENDMENT**

*(Separate transmittal letter and postcard not required)*

☒ **FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

☒ Claims as originally filed

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

*(Separate transmittal letter and postcard not required)*

☒ **SURCHARGE** - surcharge fee of \$130.00  
(Separate transmittal letter and postcard not required)

☐ **SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - ☐ are enclosed  
(Separate transmittal letter and postcard not required)

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated ☐ for ☐ month(s) from ☐ to ☐  
The appropriate fee of \$☐ is included in the enclosed check

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached  
(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☐ Is enclosed herewith

(Separate transmittal letter and postcard not required)


☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1032.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

  
Christopher J. Lutz

Registration No.: 44,883

Tel.: (978) 341-0036

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Concord, Massachusetts 01742-9133

Date: 2/19/02



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

sector #

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/997,733	11/29/2001	James A. Proctor, JR.	2479.1008-015

CONFIRMATION NO. 4012

FORMALITIES LETTER



\*OC00000007241030\*

David J. Thibodeau, Jr., Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road  
P.O. Box 9133  
Concord, MA 01742-9133



Date Mailed: 12/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/28/2002 HDEMESS1 00000025 09997733

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:103	162.00 OP
03 FC:105	130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$162.  
    ■ \$162 for 9 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1032.

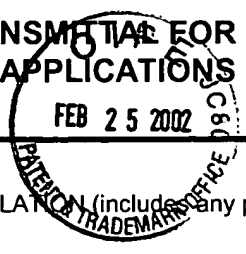
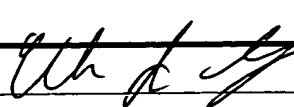
*A copy of this notice **MUST** be returned with the reply.*

*M. Duong*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b> 		Attorney Docket Number	2479.1008-015		
		Application Number	09/997,733		
		First Named Inventor	James A. Proctor, Jr.		
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	29 - 20* =	9	x \$ 18 =	\$ 162
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2 - 3** =	0	x \$ 84 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 902
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 902
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 130
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
				TOTAL =	\$ 1032
<p>* Reissue claims in excess of 20 and over original patent</p> <p>** Reissue independent claims over original patent</p>					
<p>1. Small entity status:</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$1032.00. <span style="margin-left: 100px;"><input type="checkbox"/> Please charge \$[ ] to Deposit Account No. 08-0380.</span></p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature				Date	2/19/02
Submitted by Typed or Printed Name		Christopher J. Lutz		Reg. Number	44,883